

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

ZELYIA M. CALDWELL and,	)	
MARCI A. Y. MCMAHAN, on behalf of a Minor,	)	
X.E.C.,	)	
	)	
Plaintiffs	)	
	)	No. 3:13-CV-552
v.	)	(COLLIER/GUYTON)
	)	
KNOX COUNTY BOARD OF EDUCATION,	)	
<i>Et al.</i> ,	)	
Defendants.	)	

**ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is the Plaintiffs' Motion to Amend Summons for Service [Doc. 20], filed on November 18, 2013. Pursuant to Federal Rule of Civil Procedure 4(a)(2), the Plaintiffs request that they be allowed to amend the summons for service upon Defendants Tom Brown and Dr. James P. McIntyre, Jr. The Plaintiffs state that they incorrectly attempted to serve these Defendants by certified mail and that an amended summons and a copy of the complaint satisfying the Federal Rules of Civil Procedure were in the process of being delivered to said Defendants.

The Court observes that the amended summons has in fact been personally served upon said Defendants, and the summons were returned executed on November 20, 2013. [Docs. 21, 22]. As a result, the Court finds the instant motion requires no further action by the Court.

Accordingly, the Plaintiffs' Motion to Amend Summons for Service [**Doc. 20**] is **DENIED as moot.**

**IT IS SO ORDERED.**

ENTER:

s/ H. Bruce Guyton  
United States Magistrate Judge